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10/659,109	09/09/2003	Michael Henriksson	9342-111	4335

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EXAMINER
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SHERMAN, STEPHEN G

ART UNIT	PAPER NUMBER
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2629

DATE MAILED: 05/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/659,109	<b>Applicant(s)</b> HENRIKSSON, MICHAEL	
	<b>Examiner</b> Stephen G. Sherman	<b>Art Unit</b> 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-47 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 9 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

1. This office action is in response to the amendment filed the 19 April 2006.

Claims 1-47 are pending.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-42 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. Claims 1-4, 8, 10, 13, 15-20, 22, 26-30, 34-36 and 43-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seymour (US 2004/0239582) in view of Bell et al. (US 2005/0062410).

**Regarding claim 1**, Seymour discloses a method for providing text and/or visual data to a display, comprising:

presenting text and/or visual data on a first display (Figure 1 and paragraph [0073] explain that foreground screen 3 is a first display which has text 5 on it.); and

presenting text and/or visual data substantially concurrently on a second display underlying the first display (Figure 1 and paragraph [0073] explain that background screen 2 is a second display which is underlying the first display which displays visual data 6 concurrently with display 1 as explained in paragraph [0074].),

such that the second display is a further distance away from an eye of a user than the first display (Figure 1 shows display 2 a further distance from where a user would be than display screen 3.), and

wherein, in operation, a user is able to view data on the first and/or second display (Figure 1 shows that a user would be able to view data on the first and second screen.), and

Seymour fails to teach that the method presents the text and/or visual data to a portable communications apparatus, wherein one of the first and second displays is configured to present an operating interface desktop with user selectable menu items.

Bell et al. discloses a method of presenting text and/or visual data to a portable communications apparatus (Figure 3 and paragraph [0093] explain that the PDA 1 has multiple displays 10 and 20, of which text and/or visual data could be presented to as explained in paragraph [0101].), wherein one of the first and second displays is configured to present an operating interface desktop with user selectable menu items (Paragraph [0088] explains that the visual display unit could be any computing means. Being that the invention is made to provide visual data on two different overlapping display surfaces of a PDA, the PDA would still be equipped with its normal operations, of which would include an operating interface desktop with user selectable menu, as is explained in paragraphs [0004]-[0005] and [0018].).

Therefore, it would have been obvious to “one of ordinary skill” in the art at the time the invention was made to use the method of presenting text and visual data to two overlapping displays as taught by Seymour with the multi-level display PDA taught by Bell et al. in order to provide an enlarged display area of PDA type devices without a detrimental loss in display brightness.

**Regarding claim 2**, Seymour and Bell et al. disclose a method according to Claim 1, wherein the first and second displays are aligned so that the user can view data on both of the displays at the same time, and wherein the user can focus on one of the displays by optically altering his/her focus to a focal length corresponding to the desired display (Bell et al. paragraph [0018] or Seymour paragraph [0078].).

**Regarding claim 3**, Seymour and Bell et al. disclose a method according to Claim 1.

Seymour also discloses wherein the data on the first display comprises textual data (Figure 1, display 3 has text 5.), and wherein the data on the second display comprises visual data (Figure 1, display 2 has visual data 6.).

**Regarding claim 4**, Seymour and Bell et al. disclose a method according to Claim 3.

Seymour also discloses wherein the visual data comprises an image (Figure 1, visual data 6 is an image.).

**Regarding claim 8**, Seymour and Bell et al. disclose a method according to Claim 1.

Bell et al. also discloses the method further comprising illuminating pixels on the first display in a manner that allows the user to view through the illuminated pixels to the second display (Paragraph [0028] explains that the display must be at least partially transparent, meaning that the user would be able to see through the display to the other display.).

**Regarding claim 10**, Seymour and Bell et al. disclose a method according to Claim 1.

Seymour also discloses wherein the steps of presenting visual and/or text data on the first and second displays comprises presenting text on the first display while presenting an image related to the text on the second display (Paragraph [0074] explains that the text and image relate to one another.).

**Regarding claim 13**, Seymour and Bell et al. disclose a method according to Claim 1.

Seymour also discloses wherein the second display provides visual and textual data and the first display is adapted to selectively present a subset of the data provided by the second display (Paragraph [0078] explains that a subset of secondary information could be provided on each of the displays.).

**Regarding claim 15**, please refer to the rejection of claim 1, where in rejecting the method of presenting text and/or visual data to multiple displays of a portable communications device the examiner already established a device for doing so.

**Regarding claim 16**, Seymour and Bell et al. disclose an assembly according to Claim 15.

Bell et al. also disclose wherein, in operation, the first display is configured to provide text and/or visual data using pixels with sufficient optical transmissivity and/or transparency to allow a user to optically view through the first display to text and/or visual data on the underlying second display (Paragraph [0028] explains that the display

must be at least partially transparent, meaning that the user would be able to see through the display to the other display.).

**Regarding claim 17**, Seymour and Bell et al. disclose an assembly according to Claim 15.

Bell et al. also disclose wherein the first display is configured as a substantially transparent display and the second display is configured as a color graphic display (Paragraph [0028] explains that one display must be at least partially transparent, meaning that the user would be able to see through the display to the other display. Although no specific mention is made as to whether the second display is in color, it is well known in the art that PDA screens can be provided in color.).

**Regarding claim 18**, Seymour and Bell et al. disclose an assembly according to Claim 15.

Seymour also discloses wherein the first and second displays are aligned and positioned so that the first and second displays are substantially coextensive with each other (Figure 1. The two display screens 2 and 3 can be seen to be positioned so that they are substantially coextensive.).

**Regarding claim 19**, this claim is rejected under the same rationale as claim 2



**Regarding claim 20**, Seymour and Bell et al. disclose an assembly according to Claim 15.

Seymour also discloses wherein the first and second displays are aligned so that the user can view data on both of the displays at the same time (Figure 1 and paragraph [0074]).

**Regarding claim 22**, Seymour and Bell et al. disclose an assembly according to Claim 15.

Bell et al. also disclose wherein, in operation, the first display is configured to illuminate pixels in a manner that allows the user to view through the illuminated pixels to access data on the second display (Paragraph [0028] explains that the display must be at least partially transparent, meaning that the user would be able to see through the display to the other display.).

**Regarding claim 26**, Seymour and Bell et al. disclose an assembly according to Claim 15.

Bell et al. also disclose a terminal housing holding the first and second displays; and terminal circuit components in the housing to provide a computer terminal (Paragraph [0088] explains that the invention relates to a PDA, which would be a housing holding the displays and would contain circuit components in order to provide a computer terminal.).

**Regarding claim 27**, please refer to the rejection of claim 26, and furthermore, Bell et al. also discloses wherein the terminal is portable (Paragraph [0088] explains the invention is a PDA, which is portable.).

**Regarding claim 28**, please refer to the rejection on claim 26, and furthermore, Bell et al. also discloses wherein the terminal is wireless (Paragraph [0088] explains the invention is a PDA, which is wireless.).

**Regarding claim 29**, please refer to the rejection of claim 28, and further more Bell et al. also discloses wherein the housing is configured to enclose a transceiver that transmits and receives wireless communications signals (Paragraph [0088] explains that the invention relates to a PDA, which would be a housing holding the displays shown in Figure 3, where the housing would include a transceiver for wireless communications, as it is well known for PDAs to include a transceiver for wireless communications.).

**Regarding claim 30**, this claim is rejected under the same rationale as claim 2.

**Regarding claim 34**, this claim is rejected under the same rationale as claim 16.

**Regarding claim 35**, this claim is rejected under the same rationale as claim 17.

**Regarding claim 36**, this claim is rejected under the same rationale as claim 18.

**Regarding claim 43**, in reference to the rejection of claim 17, an explanation has already been provided to explain that the second display is color. Using this same rationale, although no specific mention is made as to whether the first display is monochromatic, it is well known in the art to provide a monochromatic display.

**Regarding claims 44 and 45**, it was already mentioned in the rejection of claim 1 that one of the first or second displays could contain to operating interface desktop, meaning that the second display could be configured with such. As for the second display having an increased resolution over that of the first display, Bell et al. discloses that the first display would have to be at least partially transparent meaning that the resolution would then have to be lower than that of the non-transparent display provided underneath.

**Regarding claim 46**, this claim is rejected under the same rationale as claims 17 and 43.

6. Claims 7, 21 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seymour (US 2004/0239582) in view of Bell et al. (US 2005/0062410) and further in view of Ericsson (US 6,130,665).

**Regarding claim 7**, Wells discloses a method according to Claim 1.

Seymour and Bell et al. fail to teach of a method further comprising configuring the first and second displays to interactively communicate in response to actions by the user.

Ericsson discloses a method comprising configuring a first and second display to interactively communicate in response to actions by the user (Figure 4 and column 3, lines 56-67. The examiner interprets that since the overlay is that of the keyboard and the other display is that of the entered information, that the two display levels must communicate with each other in response to input by the user.).

Therefore it would have been obvious to "one of ordinary skill" in the art at the time the invention was made to use the method to have the first and second displays interact with each other as taught by Ericsson with the method taught by the combination of Seymour and Bell et al. such that a user could input information into the PDA using a stylus where the input would take place on one display level to cause menu items or other information to be displayed on the other display in order to allow for the user to view multiple sets of information at the same time in a compact area.

**Regarding claim 21**, this claim is rejected under the same rationale as claim 7

**Regarding claim 31**, this claim is rejected under the same rationale as claim 7.

7. Claims 5-6 and 32-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seymour (US 2004/0239582) in view of Bell et al. (US 2005/0062410) and further in view of Ericsson (US 6,130,665) and Solonen (US 2005/0195927).

***Regarding claims 5 and 6***, Seymour and Bell et al. disclose a method according to Claim 4.

Seymour and Bell et al. fail to teach of a method comprising generating a message with text.

Ericsson discloses a method comprising generating a message with text (Figure 1 and column 2, lines 29-42).

Therefore it would have been obvious to “one of ordinary skill” in the art at the time the invention was made to use the method of generating a message with a portable device as taught by Ericsson with the multiple display screen method taught by the combination of Seymour and Bell et al. such that the text and visual data on the portable device would be located on two separate screens in order to create a small portable device that can simultaneously present large amounts of information and allow quick and easy entering of information using a touch sensitive display.

Seymour, Bell et al. and Ericsson fail to teach of a method comprising generating/receiving a MMS message having text and visual data and parsing the text data to present on the first display and the visual data to present on the second display.

Solonen discloses a method comprising generating/receiving a MMS message having text and visual data and dividing the text data and the visual data to present on a display (Paragraphs [0028]- [0030]).

Therefore it would have been obvious to "one of ordinary skill" in the art at the time the invention was made to use the image splitting method of a MMS message with the method taught by the combination of Seymour, Bell et al. and Ericsson such that the text data and visual data would be located on different display screens in order to provide a more advanced pattern which is simple, uses little memory, and is easily transferred between terminals even with limited capacity.

***Regarding claim 32***, this claim is rejected under the same rationale as claim 6.

***Regarding claim 33***, this claim is rejected under the same rationale as claim 6.

8. Claims 9, 12 and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seymour (US 2004/0239582) in view of Bell et al. (US 2005/0062410) and further in view of Yamaguchi et al. (US 6,275,932).

***Regarding claim 9***, Seymour and Bell et al. disclose a method according to Claim 1.

Seymour and Bell et al. fail to teach a method wherein the first display is configured to operate in a screensaver mode during periods of non-active use.

Yamaguchi et al. discloses a method wherein a display is configured to operate in a screensaver mode during periods of non-active use (Column 11, lines 6-12. The examiner interprets that since the user would start the screensaver when they intend to not be using the device.).

Therefore it would have been obvious to "one of ordinary skill" in the art at the time the invention was made to use the screensaver mode taught by Yamaguchi et al. with the method taught by the combination of Seymour and Bell et al. in order to lock and protect the device from unauthorized users.

***Regarding claim 12***, Seymour and Bell et al. discloses a method according to Claim 1.

Seymour and Bell et al. fails to teach a method further comprising electrically locking access to the device by providing a password restricted access entry region on the first display and optically blocking the remainder of the first display while the second display carries text and visual data thereon to inhibit unauthorized use of the device.

Yamaguchi et al. discloses a method further comprising electrically locking access to the device by providing a password restricted access entry region on a display and optically blocking the remainder of a display (Column 11, lines 6-12. The examiner interprets that if the display device I password protected and blocked that viable access to information would also be block as is commonly done by screensavers with password protection.).

Therefore it would have been obvious to "one of ordinary skill" in the art at the time the invention was made to use the screensaver mode taught by Yamaguchi et al. with the two display screen method taught by the combination of Seymour and Bell et al. such that the first display would contain the screensaver in order to also block the information on the second display in order to lock and protect the device from unauthorized users.

***Regarding claim 23***, this claim is rejected under the same rationale as claim 9

***Regarding claim 24***, this claim is rejected under the same rationale as claim 12

***Regarding claim 25***, this claim is rejected under the same rationale as claim 12

9. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Seymour (US 2004/0239582) in view of Bell et al. (US 2005/0062410) and further in view of Ellenby et al. (US 6,396,475).

***Regarding claim 11***, Seymour and Bell et al. disclose a method according to Claim 10.

Seymour and Bell et al. fail to teach wherein the text comprises map directions of a geographic location of interest and the image comprises a map corresponding to the location of interest.



Ellenby et al. disclose of text comprising directions of a geographic location of interest and an image comprising a map corresponding to the location of interest (Figure 1, item 4 is the text and item 2 is the image.).

Therefore it would have been obvious to “one of ordinary skill” in the art at the time the invention was made to use the display screen method taught by the combination of Seymour and Bell et al. to display the map and directions as taught by Ellenby et al. in order to present the text and image of the directions on separate display screens such that both can be viewed simultaneously.

10. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Seymour (US 2004/0239582) in view of Bell et al. (US 2005/0062410) and further in view of Huffman et al. (US 5,661,635).

**Regarding claim 14**, Seymour and Bell et al. disclose a method according to Claim 3.

Seymour and Bell et al. fail to teach a method wherein the textual data provided by the first display comprises data from a digital book or article, and wherein the visual data provided by the second display is video clips, images and/or pictures from the digital book or article.

Huffman et al. disclose a method wherein the textual data comprises data from a digital book or article, and wherein the visual data provided is video clips, images and/or

pictures from the digital book or article (Column 5, lines 34-47. The examiner interprets that the graphical data could be video clips, images or pictures.).

Therefore it would have been obvious to "one of ordinary skill" in the art to use the display screen method as taught by the combination of Seymour and Bell et al. with the digital book method taught by Huffman et al. in order to provide a way to view the images and text of the digital book at the same time.

11. Claims 37-39 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seymour (US 2004/0239582) in view of Bell et al. (US 2005/0062410) and further in view of Ericsson (US 6,130,665) and Yamaguchi et al. (US 6,275,932).

***Regarding claim 37***, this claim is rejected under the same rationale as claim 9.

***Regarding claim 38***, this claim is rejected under the same rationale as claim 12.

***Regarding claim 39***, this claim is rejected under the same rationale as claim 12.

***Regarding claim 47***, this claim is rejected under the same rationale as claim 39.

12. Claims 40-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Solonen (US 2005/0195927) in view of Seymour (US 2004/0239582) and further in view of Bell et al. (US 2005/0062410).

**Regarding claim 40**, Solonen discloses a computer program product for selectively displaying text or visual data, the computer program product comprising a computer usable storage medium having computer-readable program code embodied in the medium (Paragraphs [0028]-[0030]), the computer-readable program code comprising:

computer readable program code that is configured to receive a wireless communication signal in a wireless terminal (Paragraph [0029]);

computer readable program code that is configured to direct a display to display text and/or visual data associated with the received wireless communication signal (Figure 2 and Paragraph [0030]); and

computer readable program code that is configured to concurrently direct a display to display other text and/or visual data associated with the received wireless communication signal (Figure 2 and Paragraph [0030]).

Solonen fails to teach of splitting the text and visual data onto two separate display screens, one being located above the other.

Seymour discloses of having the text and visual data separated onto two different display screens, one being located above the other (Figure 1 shows display 3 which is located above display 2 where text 5 is displayed on display 3 and visual data 6 is displayed on display 2.).

Therefore it would have been obvious to "one of ordinary skill" in the art at the time the invention was made to use the separate display screens taught by Seymour

with the computer program product taught by Solonen in order to provide a device which includes one display device which enables a person to simultaneously view different images on different screens by looking at and through only one display screen.

Solonen and Seymour fail to teach of the computer readable program code is configured to display an operating interface with user selectable menu items on the second display.

Bell et al. disclose wherein a second display is configured to present an operating interface desktop with user selectable menu items (Paragraph [0088] explains that the visual display unit could be any computing means. Being that the invention is made to provide visual data on two different overlapping display surfaces of a PDA, the PDA would still be equipped with its normal operations, of which would include an operating interface desktop with user selectable menu, as is explained in paragraphs [0004]-[0005] and [0018].).

Therefore, it would have been obvious to "one of ordinary skill" in the art at the time the invention was made to use the idea of presenting an operating interface desktop as taught by Bell et al. with the computer readable program code taught by the combination of Solonen and Seymour in order to provide an enlarged display area of PDA type device without losing any functionality of the device.

***Regarding claim 41***, this claim is rejected under the same rationale as claim 17.

13. Claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Solonen (US 2005/0195927) in view of Seymour (US 2004/0239582) and further in view of Bell et al. (US 2005/0062410) and Ericsson (US 6,130,665).

**Regarding claim 42**, this claim is rejected under the same rationale as claims 5 and 6.

### ***Conclusion***

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sipila (US 6,556,586) discloses a messaging system for communicating between two different communication units.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen G. Sherman whose telephone number is (571) 272-2941. The examiner can normally be reached on M-F, 8:00 a.m. - 4:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amr Awad can be reached on (571) 272-7764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SS

3 May 2006

AMR A. AWAD  
PRIMARY EXAMINER  
